

## REMARKS

### I. Claim Amendments

Claims 1-24 are currently pending. With this response, claim 2 is amended to provide proper antecedent basis in view of claim 1.

### II. 35 USC 102(e)

Claims 1-3, 6, 14-15 and 18 are rejected under 35 USC 102(e) as being anticipated by White et al. (US Publication No. 2002/0091550). The Applicant traverses this rejection as follows.

#### Claim 1.

Claim 1 recites:

A method of providing an insurance product via a computing network, comprising the steps of,

- obtaining information from a subscriber;
- offering an insurance product to the subscriber;
- issuing the insurance product to the subscriber, and
- allowing the subscriber to access the computing network, after the insurance product has been issued to the subscriber, wherein on a variation being authorized, the subscriber is allowed to vary at least one term of the issued insurance product.

White et al. do not disclose the final step recited above of "*allowing the subscriber to access the computing network, after the insurance product has been issued to the subscriber, wherein on a variation being authorized, the subscriber is allowed to vary at least one term of the issued insurance product.*" The Examiner at

pages 2-3, item 6 of the Final Office Action, alleges that White et al. disclose this feature at paragraphs [0103], [0122]. The Applicant respectfully disagrees. In contrast to varying at least one term of the issued insurance product, White et al disclose a system to calculate the price of an insurance policy “offer” for sale to a particular user. At paragraph [0103], White et al., disclose that “*An application server may also be used in the environment to provide policy management, creation and update functionality. Such an application server may also be responsible for initial determination of the rate...A dynamic pricing engine, as further described below, may also run on...the...application server...*”. It is clear from paragraph [0103], that the update functionality cited by the Examiner relates to the policy generation and the price of the policy in view of the input data to determine a pricing rate and/or other variables of an offer. This paragraph does not disclose a method allowing the subscriber to vary the issued insurance product after the insurance product has been issued.

Additionally, at paragraph [0122], White et al. disclose that, “*an offer of insurance is generated based at least upon the applicant relevant information...An offer generation may typically include the following steps: (a) determining an underwriting tier...(b) retrieving a base rate...(c) calculating the rate component based upon the base rate...*”.

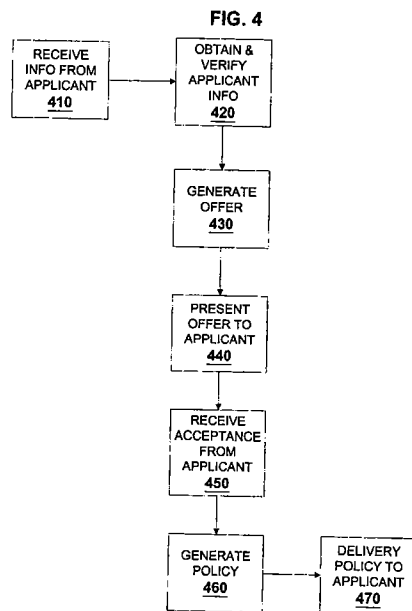
Thus, as evidenced by paragraphs [0103], [0122] and throughout, White et al. do not disclose or suggest a method of allowing the subscriber to vary an issued insurance product, but instead teach only methods related to providing an “offer” of an insurance product.

**Claim 2.** The Examiner alleges that claim 2 is taught by White et al. at paragraph [0122-0123] and [0140]. The Applicant respectfully disagrees. Paragraph [0122], as discussed above, refers only to an *offer*, whereas the claimed invention including claim 2, clearly refers to an *issued* insurance product. Paragraphs [0123] and [0140] are reprinted below. The Applicant submits that it is evident that these paragraphs only refer to an *offer* of an insurance product. Should the Examiner disagree, the Applicant requests that the Examiner further point to the reference of an issued insurance product in paragraphs reprinted below.

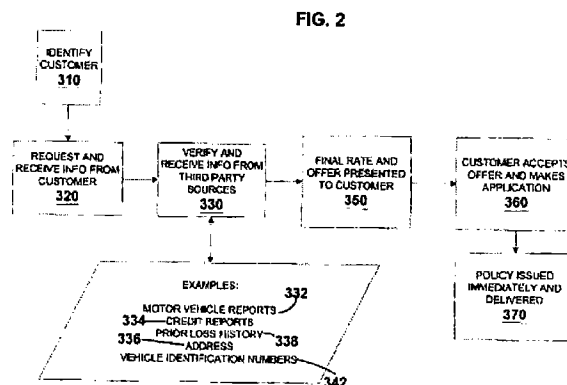
[0123] In some embodiments, the generated offer may be stored for subsequent retrieval in a data store in a record associated with the applicant. In some of these embodiments, a determination may be made as to whether such a previously stored offer associated with the applicant exists. If so, a new offer is not generated from scratch, but this step retrieves the previously stored offer and uses it as the generated offer. Stored offers may also be subject to a validity check prior to reuse. A variety of factors may be used to determine validity; these factors may include age of offer, change in applicant information change in dynamic pricing factors, change in state laws and/or rates, change in special offers and combinations thereof.

[0140] 1. Pricing tiers: Traditional rate filings specify a single base rate level for a particular coverage type. For example, BI (bodily injury) coverage could have a base rate of \$75 for a six-month term. This rate is then modified by risk factors, called relativities, specific to an individual to arrive at a final rate. Currently, all BI policies in a particular state derive their rate from this single base rate. Dynamic pricing selects one of several base rates to generate a rate for a single coverage type for an individual customer. A collection of base rates, one for each coverage type, is called a pricing tier. For example:

**Claim 3.** The Examiner alleges that claim 3 is taught by White et al. at Figure 4. Claim 3 depends from claim 2 and indirectly from claim 1. By virtue of its dependency, claim 3 refers to varying an **issued** insurance product, while the steps and embodiments disclosed by White et al. at Figure 4 refer to an **offer**, prior to the issuance of a policy. The Applicant has reprinted Figure 4 below. The Applicant submits that it is evident from Figure 4 of White et al. that a step after the issuance (delivery) of the insurance product is not disclosed, as is presently claimed.



**Claim 6.** The Examiner alleges that claim 6 is taught by White et al. at Figure 2, step 330. Claim 6 depends from claim 3 and depends indirectly from claims 1 and 2. By virtue of its dependency, claim 6 refers to varying an issued insurance product, while the steps and embodiments disclosed by White et al. refer to an offer. It is clear from Figure 2 below that all steps shown take place prior to the delivery/issuance of the policy at step 370, therefore no steps are disclosed for varying an *issued* policy, as presently claimed.



**Claim 14.** The Examiner alleges that claim 14 is taught by White et al. at Figure 3. The Applicant respectfully disagrees.

Claim 14 recites:

A system for providing an insurance product,  
comprising,

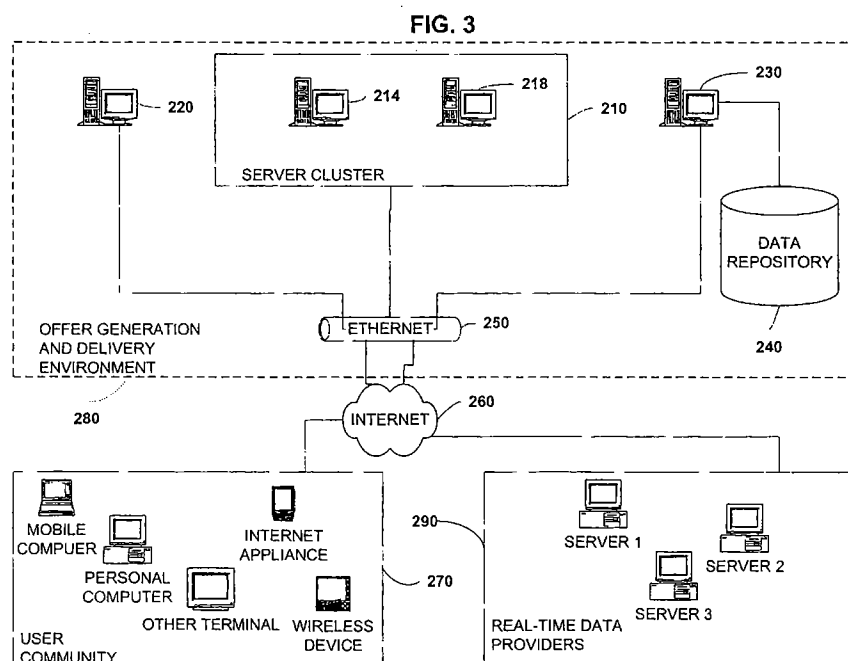
a client system capable of displaying information regarding a range of insurance products, the client system including appropriate means to send a subscriber request to a server system, an issuing component of the server system capable of receiving the subscriber request and issuing an insurance product to the subscriber, characterised in that, in response to a further subscriber request sent from the client system, the issuing component of the server system allows the subscriber to vary at least one term of the issued insurance product.

(emphasis added).

Figure 3 and the corresponding description in paragraph [0097] of White et al. are reprinted below. The Applicant submits that it is evident that the system “environment” of White et al. only relates to an offer of an insurance product, and that this system environment does not teach or suggest a “*system...to vary at least one term of the issued insurance product,*” as recited in claim 14 shown above. The Applicant submits that it is evident from Figure 3 and paragraph [0097] of White et al. as shown below, that a step or system to vary an issued insurance product is not disclosed.

[0097] FIG. 3 depicts a typical environment according to the present invention. Members of the user community using suitable devices 270 can obtain an offer of insurance via an offer generation and delivery environment (offer environment) 280 via a communications channel such as the Internet 260. A typical offer environment 280 will include a cluster of servers 210 including one or more servers 214, 218 supporting offer generation as described above and delivery of such offers. The offer environment may include a separate system data store for storing data associated with offers and users; alternatively, the system data store may use internal storage devices connected to one or more of the server processors (214, 218) of the server cluster 210. In embodiments where a single processor provides supports all

functionality of the environment, a local hard disk drive may serve as the system data store. Such a data store, in a typical embodiment, may be implemented as a database system 230 with an external or internal data repository 240 as described more fully below. The offer environment 280 will also typically include a communication channel such as Ethernet 250 supporting communication among components of the environment 280 although other suitable channels may be used (e.g. direct or indirect connections, token ring, dial-up, etc.). The offer environment 280 may also optionally include one or more load balancing servers 220 for distributing work among the components of the environment 280. Real-time information providers 290 may supply information used in generating offers; these information providers communicate with the offer environment 280 via a communication channel such as the Internet 260 or other suitable connection (e.g. dedicated communication line, dial-up connection etc.).



**Claims 15, 18.** Claims 15 and 18 depend from claim 14. As discussed above, claim 14 is not taught or suggested by White et al. Therefore, at least by virtue of their dependency on claim 14, claims 15 and 18 are also not anticipated or suggested by White et al.

In view of the above remarks, the Applicant respectfully submits that claims 1-3, 6, 14 and 15-18 are not anticipated or suggested by White et al. Accordingly, the Applicant requests withdrawal of the rejection of these claims under 35 USC 102(e).

**III. 35 USC 103(a) White et al. in view of Kleinberg.**

The Examiner alleges that claims 4-5, 10, 16-17 and 21 are unpatentable over White et al. in view of Kleinberg (US Pub No. 2001/0037265). The Applicant traverses this rejection as follows.

Claims 4-5 and 10, as well as claims 16-17 and 21 depend directly or indirectly from claims 1 and 14, respectively. For reasons discussed above, claims 1 and 14 are not anticipated or suggested by White et al, because White et al. do not disclose a step to vary the issued insurance product as presently claimed.

Kleinberg discloses a method and apparatus for selling insurance products online. Specifically, Kleinberg discloses an online web interface arranged to sell insurance products including a description on how to create a suitable back end database to store information relating to insurance policies. Kleinberg does not disclose a method for varying an issued insurance product.

The Examiner points to paragraphs [0039-0040] of Kleinberg. These paragraphs clearly discuss a “policy picker”, which is a method or tool to be utilized prior to selection of a policy, and therefore prior to issuance of an insurance product.

In view of the above, the Applicant submits that taken alone or in combination White et al. and Kleinberg do not suggest or render obvious a method or system for varying an issued insurance product as recited in claims 1 and 14. The Applicant respectfully submits that claims 1

and 14 are patentable over White et al. in view of Kleinberg, and thus accordingly, dependent claims 4-5 and 10, as well as claims 16-17 and 21 are also patentable over White et al. in view of Kleinberg. The Applicant respectfully requests withdrawal of the rejection of these claims under 35 USC 103(a).

**IV. 35 USC 103(a) White et al. in view of Provost et al.**

The Examiner alleges that claims 7-9 and 19-20 are unpatentable over White et al. in view of Provost et al. (US Patent No. 6,341,265). The Applicant traverses this rejection as follows.

Claims 7-9 and 19-20 depend directly or indirectly from claims 1 and 14, respectively. For reasons discussed above, claims 1 and 14 are not anticipated or suggested by White et al, because White et al. do not disclose a step to vary the issued insurance product as presently claimed.

Provost et al. disclose a provider claim editing and settlement system where an electronic interface is provided for an insurance claimant to submit information to a claim form and this information is then checked against various databases for validity. The information is also checked against particular claims to determine if the user is entitled to a specific claim or settlement (Figures 3 and 4B). Provost et al. do not teach a method or system of offering an insurance product to the subscriber as presently claimed, nor does Provost et al. teach a method or system to vary an insurance product after it has been issued.

In view of the above, the Applicant submits that taken alone or in combination White et al. and Provost et al. do not suggest or render obvious a method or system for varying an issued insurance product as recited in claims 1 and 14. The Applicant respectfully submits that claims 1 and 14 are patentable over White et al. in view of Provost et al. Accordingly, dependent claims 7-9 and 19-20 are also patentable over White et al. in view of Provost et al. The Applicant respectfully requests withdrawal of the rejection of these claims under 35 USC 103(a).



**V. 35 USC 103(a) White et al. in view of Mori et al.**

The Examiner alleges that claims 11-13 and 22-24 are unpatentable over White et al. in view of Mori et al. (US Patent No. 6,070,148). The Applicant traverses this rejection as follows.

Claims 11-13 and 22-24 depend from either claim 1 or claim 14. For reasons discussed above, claims 1 and 14 are not anticipated or suggested by White et al, because White et al. do not disclose a step to vary the issued insurance product as presently claimed.

Mori et al. discloses an electronic commerce system in which the customer can acquire information concerning a commodity or service in suitable timing, and a method for providing the commodity information in the electronic commerce system. Mori et al do not disclose a system or method to vary an issued insurance product. As is evident from the entire disclosure of Mori, the disclosed system is for providing information about a product to the customer (subscriber). Mori et al do not disclose a method to vary the product.

In view of the above, the Applicant submits that taken alone or in combination White et al. and Mori et al. do not suggest or render obvious a method or system for varying an issued insurance product as recited in claims 1 and 14. The Applicant respectfully submits that claims 1 and 14 are patentable over White et al. in view of Mori et al. Accordingly, dependent claims 11-13 and 22-24 are also patentable over White et al. in view of Mori et al. The Applicant respectfully requests withdrawal of the rejection of these claims under 35 USC 103(a).

**VI. Conclusion**

The Applicant respectfully contends that all conditions of patentability are met in the pending claims as amended. All amendments herein are made without prejudice. The Examiner is respectfully requested to pass the application to issue.

\* \* \* \* \*

Amendment After Final, Office Action mailed March 20, 2008

The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR §1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed, and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this paper (and any enclosure referred to in this paper) is being transmitted electronically to the United States Patent and Trademark Office on

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(Date of Transmission)

Stacey Dawson  
(Name of Person Transmitting)

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August 20, 2008  
(Date)

Respectfully submitted,

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Enclosure: Petition for 2-month extension